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November 12, 2004

**VIA FACSIMILE W/O ENCLS. AND  
FEDERAL EXPRESS W/ENCLS.**

Mr. Craig Melodia  
Associate Regional Counsel  
United States Environmental Protection  
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Region 5, C-14J  
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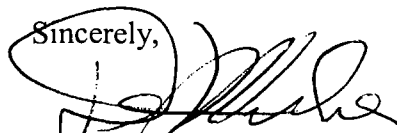
Re: Response to Section 104(e) Information Request for Solvay Coke and Gas,  
Milwaukee, Wisconsin

Dear Craig:

I am enclosing with the courier copy of this letter the narrative response of Cliffs Mining Company to the Section 104(e) Request relating to the Solvay Coke and Gas Plant in Milwaukee, Wisconsin. Also incorporated as part of Cliffs Mining's response are three (3) boxes of documents which are separately being shipped by Federal Express for delivery on Monday.

As I have stated in the Response, Cliffs Mining Company continues to search for records within and outside the Company and will provide a supplement if additional information or documents responsive to the questions in the Request are obtained. If you have questions regarding particular responses, please contact me at your convenience.

Sincerely,



Dennis L. Fisher

cc: David Crouch (via facsimile and U.S. Mail w/copy of Response only)

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

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**RESPONSE OF CLIFFS MINING COMPANY TO  
REQUEST FOR INFORMATION PURSUANT  
TO SECTION 104(e) OF CERCLA**

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Cliffs Mining Company, a wholly-owned subsidiary of Cleveland Cliffs, Inc., by its attorneys, Dennis L. Fisher and Meissner Tierney Fisher & Nichols S.C., hereby responds to the letter Request for Information pursuant to Section 104(e) of CERCLA, 42 U.S.C. §9604(e), dated August 26, 2004 (the "Request"). This response is organized into an introduction section, a sequence of specific responses corresponding to the numbered questions in the Request, and a conclusion.

**I. INTRODUCTION.**

Cliffs Mining Company is an Ohio corporation which acquired all of the outstanding stock of Pickands Mather & Co., a Delaware corporation, on or about December 30, 1986. Pickands Mather & Co. had owned and operated the Milwaukee Solvay Coke plant via an asset purchase on or about January 1, 1973 until approximately March, 1983, when the plant ceased its active operation. After its 1986 acquisition of Pickands Mather & Co., Cliffs Mining Company merged in 1989 into Cleveland Cliffs, Inc.

Pickands Mather & Co., which had been a wholly-owned subsidiary of Cliffs Mining Company, thus became a wholly-owned subsidiary of Cleveland Cliffs as a result of the merger of Cliffs Mining Company into Cleveland Cliffs. On or about March 1, 1991, Pickands Mather & Co. changed its name to "Cliffs Mining Company," which is the entity responding to the Request (hereinafter referred to as "Cliffs Mining").

In tracing the history of owners and operators of the Solvay Coke plant site (the "Site"), three factors need to be kept in mind:

(1) The Site now consists of roughly 46 acres, but the real estate owned by the entities which operated the coke plant has changed considerably over time, with certain parcels being added or removed from the plant's inception in approximately 1903 to its cessation of business in 1983. Some portions of the Site as now constituted were previously owned for extended periods by entities with their own industrial or commercial activities being conducted on their property.

(2) There were numerous acquisitions and mergers during the active life of the plant, with two asset sales (as opposed to stock sales) in which the name "Milwaukee Solvay Coke Company" was one of the assets being sold. Similarly, the second asset sale, on or about January 1, 1973, included the name, "Pickands Mather & Co." Thus there were two entirely different entities using the name "Pickands Mather & Co." that owned and operated the Solvay Coke plant, one of which is now Cliffs Mining Company (for 1973-1983). The other one, as explained in more detail in responses to question nos. 4 and 5, is now Maxus Energy Corporation, a Delaware corporation currently believed to be owned by YPF Sociedad Anonima, an Argentine company (for 1962-1972).

(3) The Cliffs Mining era of operation (1973-1983), unlike prior operational eras, required air and water quality permits for waste discharges as well as heightened regulatory scrutiny of plant operations at both the federal and state levels.

The answers being provided are based upon information gathered from the records of Cliffs Mining and from various public records. Copies of these records are contained in three

boxes of documents being simultaneously shipped via Federal Express. Cliffs Mining and its undersigned counsel continue to review and seek information from various sources. Such new information may cause Cliffs Mining to amend the answers set forth in this response. Copies of additional documents reviewed in connection with Cliffs Mining's continuing search for information will be provided as a supplement to this response if they appear to be pertinent to the questions asked in the Request.

## **II. SPECIFIC RESPONSES.**

**Question No. 1:** Did you ever use, purchase, store, treat, dispose, transport or otherwise handle any materials, including hazardous substances, at the Site. If the answer to the preceding questions is anything but an unqualified "no", identify:

- (a) the chemical composition, characteristics, physical state (e.g., solid, liquid) of each material;
- (b) who supplied you with such material;
- (c) how such materials were used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you;
- (d) when such materials were used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you;
- (e) where such materials were used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you;
- (f) the quantity of such materials used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you.

**Answer to Question No. 1:** Yes.

**Answer to subparts a), b) and f).**

We have not found records which detail the quantities and precise composition of raw materials and operational supplies purchased by the various owners and operators from 1903 to 1983. Nor have we found production records year-by-year for coke, manufactured gas or other by-products of the coking process. With the exception of reports to the Wisconsin Department of Natural Resources in the 1970's up to 1983, we have also no company records of waste handling or disposal.

However, there are partial sources of such information. These are:

(1) Invoices, purchase orders and other records of purchases of supplies and equipment are still located on the Solvay plant grounds in the office building, engineering building and perhaps elsewhere. Most of these records, not surprisingly, relate to the last two or three years of operation, 1981 to early 1983. Some relate to earlier periods. Cliffs Mining has not reviewed all of these records, but from those reviewed to date, we did not find primary production records but rather records of incidental supplies and equipment needed for day-to-day operation. Pursuant to a verbal commitment by Thomas Short, the manager of the Site for the current owner, Golden Marina Causeway LLC, we understand that these records will be maintained at the Site and made available for inspection by EPA personnel.

(2) Secondary sources of production information are contained in various reports and articles, including audit reports for certain years. Copies of these reports and articles are included in the documents being submitted with these responses. An example is the "Report on the Operations of Milwaukee Solvay Coke Company" prepared for American Natural Gas

Company of Detroit, MI, in June 1959. That report chronicles, among other things, sales of coke of various types during the years 1950 through 1958. This report also indicates that at the time, by-products being recovered for sale included naphthalene, ammonia, benzol, toluol, and mixed xylol. Sulfur was not recovered but left in the gas. Waste liquor was disposed of to the sewerage system that connected to the public wastewater treatment plant.

(3) Records pertaining to the plant closing in 1983 show the static amounts of various products such as coal, coke, coke breeze and coal tar being removed from the Site. These records are also being submitted herewith.

More quantitative information may still be located as new sources are reviewed.

**Answer to Subpart c).**

The Solvay Coke plant produced two primary products by heating coal, those being coke and manufactured gas. Coal was of course the major raw material. Coal was obtained from various mines and was delivered in large volumes to the plant by rail and by boat. Extensive areas of the Site were utilized for coal storage and handling. Railroads such as the Pere Marquette Railway and the Chesapeake and Ohio Railroad maintained side tracks on property which they owned for many years but are now included within the Site.

The coal was crushed, pulverized and moved to the coke oven line. There it was delivered into the ovens by lorries moving along the top of the ovens where ports were opened to allow measured quantities to enter the oven chambers. As the coal was heated, the gas produced was drawn through vents into retorts where various substances were reclaimed, such as tar and light oils. Further fractioning produced saleable by-products such as benzol, toluol and xylol. The remaining gas was, depending on the time period, sold to the sewerage commission, which

could utilize it in its drying house without filtering out the sulfur, or sold to the public for heat and light after filtration at the Third Ward manufactured gas plant operated by Milwaukee Gas Light Company, a sister company to Milwaukee Solvay Coke Company for many years prior to 1962. The coke was sold to steel companies and foundries, typically transported by boat, rail or truck.

The production process is described in more detail in some of the reports and articles submitted separately. In general, every material generated from the heating of coal that could be separated and sold commercially was utilized in that fashion. The only record references to waste disposal practices are the descriptions of the gas being filtered at another location by an affiliated company (Milwaukee Gas Light Company), the disposal to the sewerage system of waste liquor, and the particulates which were emitted from the smokestacks.

**Answer to Subpart d).**

Cliffs Mining was involved in operating the Site only from 1973 to 1983. Cliffs Mining had no ownership or operational interest in the Site to its knowledge during the preceding 70 years of operations of the Solvay Coke Plant. In 1983, Cliffs Mining (then known as Pickands Mather & Co.), sold the Site to a Wisconsin partnership known as Wisconsin Wrecking Company, whose partners were Marko and Thomas Gerovac. The sale documents included a Lease/Purchase Agreement dated June 7, 1983 (a short form of which was recorded with the Milwaukee County Register of Deeds office in reel 1605, images 1814 to 1018, as document no. 5686638), a Bill of Sale for the buildings, structures, equipment and personal property, and an Agreement for removal of personal property and demolition of buildings and tanks on the Site by Wisconsin Wrecking.

Pursuant to the sale documents, coal tars in numerous pipes and aboveground storage tanks were to be moved to a large circular 500,000 gallon storage tank, which was to be emptied and demolished by Pickands Mather & Co. Also, for a period of up to two (2) years, Pickands Mather & Co. was allowed to organize and sell, to the extent possible, all remaining coal, coke, coke breeze and tar.

Pickands Mather & Co. did collect and sell coal, coke, coke breeze, and tar from the Site after June 27, 1983, as documented in records included with this response. Wisconsin Wrecking, however, did not complete the removal of buildings and structures as required by the sale documents.

As described in more detail in the response to question No. 3, Cliffs Mining conveyed all of its interest in the Site to Water Street Holdings by Quit Claim Deed dated January 24, 2003. Wisconsin Wrecking assigned all of its interests to the Site as the purchaser under the Lease/Purchase Agreement to Water Street Holdings, LLC on or about the same date. Water Street Holdings, LLC, having united the title, subsequently conveyed the Site to Golden Marina Causeway, LLC by warranty deed. All removal activities at the Site from and after January 24, 2003 have been conducted by Golden Marina Causeway LLC and Water Street Holdings LLC through their authorized contractors and agents.

Copies of the sale agreements between Pickands Mather & Co. and Wisconsin Wrecking and subsequent deeds and other transfer documents are included with the documents submitted herewith.



**Answer to Subpart e).**

As previously indicated, the manufacturing process of the Solvay Coke plant was for coal to be transported, stored, crushed, pulverized, and delivered into the coke ovens at the Site. The coke, gas, and various by-products recovered from the coking process were sold to customers, being transported offsite by ship, rail, truck, or in the case of the gas, by pipe. Temporary storage of by-products occurred in tanks at the Site. Waste liquor was discharged to the sewerage system. Cliffs Mining believes, but did not find records of substantiation, that office wastes were disposed of by commercial waste haulers, which were also likely utilized for miscellaneous garbage such as lunchroom wastes.

**Question No. 2:** State the dates during which you owned, operated, or leased the Site and provide copies of all documents evidencing or relating to such ownership, operation, or lease arrangement (e.g., deeds, leases, etc.).

**Answer to Question No. 2:**

In 1962, the company named Milwaukee Solvay Coke Company, which then owned some, but not all of, the Site, appears to have been a subsidiary of American Natural Gas Company in Detroit, a successor to the American Light and Traction Company, which had acquired all of the shares of Milwaukee Coke and Gas Co. in 1928. Milwaukee Coke & Gas Co. had changed its name to Milwaukee Solvay Coke Co. in 1942.

A new company called Wisconsin Coke Company ("Wisconsin Coke") was incorporated in Wisconsin on April 13, 1962. Wisconsin Coke purchased all of the assets of Milwaukee Solvay Coke Co., including real estate and the name, "Milwaukee Solvay Coke Company." The

old corporation which sold the assets including the company name was dissolved. Wisconsin Coke, after acquiring the name, changed its name to Milwaukee Solvay Coke Company.

This new Milwaukee Solvay Coke Company merged into a Maryland Corporation, Manganese Chemical Corporation, in 1966. Later in 1966, Manganese Chemical Corporation merged into Pickands Mather & Co. ("old Pickands Mather").

Thereafter, in 1968, PM Merger Corp. was incorporated in Delaware as a wholly-owned subsidiary of Diamond Shamrock Corporation. Pursuant to an Amended Plan and Agreement of Reorganization by and among Diamond Shamrock Corporation, PM Merger Corp. and old Pickands Mather, made as of August 28, 1968, PM Merger Corp. merged into old Pickands Mather and Diamond Shamrock became the sole owner of all of the outstanding shares of old Pickands Mather.

Cliffs Mining's ownership arose in 1973 by a convoluted pathway. Moore McCormack Resources, Inc. ("Moore-Mac"), a Delaware corporation, decided to purchase some, but not all, of the assets of old Pickands Mather. The assets purchased included the Solvay Coke Plant and the name Pickands Mather & Co., which were acquired on or about January 1, 1973. However, Moore-Mac quickly formed a new subsidiary initially named PM Holding Company. The assets of old Pickands Mather (including the name "Pickands Mather & Co.") were transferred to PM Holding Company, which then changed its name on April 4, 1973 to Pickands Mather & Co. This is the "new" Pickands Mather & Co. acquired by Cliffs Mining Company in 1986, and which changed its name to Cliffs Mining Company in 1991.

The Solvay Coke Plant operating assets, including the real estate, become part of the new Pickands Mather & Co., now known as Cliffs Mining Company. As indicated in response to

Subparts d) and e), the Site was sold to Wisconsin Wrecking in March 1983 under a land contract form of sale. Questions later arose as to the status of title between Wisconsin Wrecking and Cliffs Mining, but all of the title interests were united in the current owner by the conveyance from both Cliffs Mining and Wisconsin Wrecking to Water Street Holdings LLC, which in turn conveyed all of its interests to Golden Marina Causeway LLC.

In the meantime, the assets not sold by old Pickands Mather to Moore-Mac in 1973 (believed to be primarily oil and gas resources as opposed to mining related properties) were retained by old Pickands Mather, which needed to, and did, change its name. The company was renamed "Emerald Mining Company" and was ultimately merged into Maxus Energy Corporation, a Delaware corporation still in existence.

Records documenting these complex and voluminous asset transfers, mergers, reorganizations and name changes are included in the accompanying production of documents.

**Question No. 3:** Identify all persons having knowledge or information about the generation, transportation, treatment, disposal, or other handling of hazardous substances by you, your contractors, lessors, or by prior owners or operators at the Site.

**Answer to Question No. 3:**

Cliffs Mining does not know the identities of persons who may have knowledge about the generation, transportation, treatment, disposal, or other handling of hazardous substances by prior owners or operators at the Site. With respect to the period of ownership by new Pickands Mather & Co., now known as Cliffs Mining Company, we have submitted with the accompanying records the Affidavits of Richard Schlidt and Harold Falkowski. Mr. Schlidt is known to be still living in the Milwaukee area. Cliffs Mining is unaware of the status of Mr. Falkowski.

**Question No. 4:** Identify the prior owners of the Site. For each prior owner,

further identify:

- (a) the dates of ownership;
- (b) all evidence showing that they controlled access to the Site; and
- (c) all evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Site during the period that they owned the Site.

**Answer to Question No. 4:**

**Answer to Subparts a) and b):**

See the chart attached as Attachment A to this response and the records which are being submitted herewith in separate boxes. Attachment A chronicles the succession of owner-operators of the Solvay Coke Plant and its immediate environs. Prior owners of the real estate which is now encompassed by the Site also include many other individuals and entities which were identified in the real estate title history search performed by EPA's consultant. These include, but are not limited to, the Milwaukee Electric Railroad and Light Company (now known as WE Energies Corp.), the Chesapeake and Ohio Railroad (now known as CSX Corp.), Thomas Furnace Company, Suhm Leather Company and the Fred Reuping Leather Company.

**Answer to Subpart c):**

The evidence of releases of a hazardous substance, pollutant or contaminant in soil or groundwater are to date the observations of EPA's personnel and consulting contractors during a visual inspection on October 25, 2001 and the results of subsurface soil and groundwater sampling during the period of December 10 - 19, 2001, the laboratory results for

which were reported in the Site Assessment Report prepared for EPA by Tetra-Tech EM Inc., project TDD No. 505-0110-013, in May 2002.

Inferences from the data reported by Tetra-Tech and the accompanying maps, charts, and aerial photographs in its report suggest that one or more releases of hazardous substances may have occurred at some time in the past and may have resulted in the presence of some levels of hazardous substance in certain areas of the soil and groundwater. Additional investigation needs to be performed to verify that evidence of contamination of soil and/or groundwater due to prior releases of hazardous substances indeed exists on the Site, and the location and extent of such contamination, if any.

To the extent the Tetra-Tech report revealed the existence of hazardous substances above the ground surface which posed a threat of harm to human health or the environment, those findings were the basis of the Administrative Order by Consent effective February 14, 2003, signed by Cliffs Mining, Water Street Holdings and Wisconsin Wrecking (the "AOC"). The removal actions encompassed by the AOC, including removal of asbestos-containing materials, coal tars and other substances in tanks and associated piping, an oozing pit area, and surface accumulations of materials leaking from tanks, has been completed and is in the process of being summarized in a Final Report to be submitted to EPA.

**Question No. 5:** Identify the prior operators, including lessors, of the Site.

For each operator, further identify:

- (a) the dates of operation;
- (b) the nature of prior operations at the Site;
- (c) all evidence that they controlled access to the Site;

- (d) all evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Site and/or its solid waste units during the period that they were operating the Site.

**Answer to Question No. 5:** The prior operators of the Site are the owners-operators of the Solvay Coke Plant identified in response to question no. 4. Historical reports indicate that the basic process of producing gas and coke at the plant were undertaken by all owner-operators of the plant. Technological changes were incorporated over the years. During the Cliffs Mining operation in 1973-1983, the magnitude of the operation was reduced (from 200 ovens to 100 ovens) and waste disposal to air and water was regulated by permits.

Certain parent or other affiliated entities of the prior owners-operators may also qualify as operators of the Site. Examples of such entities are American Natural Resources and Moore McCormack Resources, Inc.

**Question No. 6:** Have you or any other person working with you or on your behalf ever accepted waste materials, including hazardous substances, for transportation to the Site from any person? If the answer to this question is anything but an unequivocal “no”, identify:

- (a) the persons from whom you or such other persons accepted waste materials for transport to the Site;
- (b) every date on which waste materials were so accepted or transported;
- (c) for each transaction, the nature of the waste materials accepted or transported, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the material was used or the process which generated the material;

- (d) for each material, described any warnings given to you with respect to its handling;
- (e) the owner of the materials so accepted or transported;
- (f) the quantity of the material involved (weight or volume) in each transaction and the total quantity for all transactions.

**Answer to Question No. 6:** Cliffs Mining Company has no knowledge that the company or its agents ever accepted waste materials for transportation to the Site from any person.

**Question No. 7:** Identify all persons, including yourself, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site. In addition, identify the following:

- (a) the persons with whom you or such other persons made such arrangements;
- (b) every date on which such arrangements took place;
- (c) for each transaction, the nature of the waste material or hazardous substance; including the chemical content, characteristics, physical state (e.g., solid, liquid) and the process for which the substance was used or the process which generated the substance;
- (d) the owner of the waste materials or hazardous substances so accepted or transported;
- (e) the quantity of the waste materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;
- (f) the person(s) who selected the Site as the place to which the waste materials or hazardous substances were to be transported;
- (g) where the person identified in (f) above intended to have such hazardous substances or waste materials transported and all evidence of this intent;

- (h) what was actually done to the waste materials or hazardous substances once they were brought to the Site;
- (i) the final disposition of each of the waste materials or hazardous substances involved in such transactions;
- (j) the measures taken by you to determine the actual methods, means, and site of treatment or disposal of the waste material and hazardous substances involved in each transaction;
- (k) the type and number of containers in which the waste materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the Site, and all markings on such containers;
- (l) the price paid for (i) transport or (ii) disposal of (iii) or both, of each waste material and hazardous substance;
- (m) all documents containing information responsive to (a) - (l) above, or in lieu of identification of all relevant documents, provide copies of all such documents;
- (n) all persons with knowledge, information, or documents responsive to (a) - (l) above.

**Answer to Question No. 7:** Cliffs Mining Company has no knowledge of persons who may have arranged for disposal or treatment, or arranged for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site. Certain materials, such as railroad tracks and steel poles, were transported to the Site by Wisconsin Wrecking Company to stockpile for recycling, but Cliffs Mining has no knowledge that any such materials were “waste materials” or included hazardous waste.

**Question No. 8:** Identify the acts or omissions of any person, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants, and damages resulting therefrom.



**Answer to Question No. 8:** The only acts or omissions of other persons to the knowledge of Cliffs Mining which may have caused the release or threat of release of hazardous substances, pollutants or contaminants and damages resulting therefrom at the Site consisted of certain actions and inactions by Wisconsin Wrecking Company. The actions included partial demolition of some aboveground tanks without totally dismantling the same or removing the contents thereof, which resulted in accumulation of rainwater and overflows to the ground containing mixtures of water and tank contents. Another action consisted of demolition of certain structures after the EPA onsite inspection on October 25, 2001, which resulted in asbestos-containing materials being broken into pieces and falling into the soil where weathering and erosion may have caused the ACM to move below the surface or disintegrate into smaller pieces. Inaction by Wisconsin Wrecking consisted of allowing leaks or overflows from aboveground tanks to occur without taking actions to prevent such leaks or overflows from continuing to occur.

To the extent such actions or omissions by Wisconsin Wrecking caused surface accumulations of hazardous substances, the removal actions recently completed by the owner, Golden Marina Causeway LLC, and its contractors have disposed of such accumulations without further damage. But it remains unknown whether Wisconsin Wrecking's conduct has resulted in contamination of soil or groundwater.

**Question No. 9:** If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Requests or who may be able to provide additional responsive documents, identify such persons.

**Answer to Question No. 9:** As indicated in the answers to questions Nos. 1 and 3, additional records pertaining to materials purchased and/or used at the Site are still located in one or more of the few remaining buildings on the Site and will be made available for inspection by the owner. Also, former employees Richard Schlidt and Harold Falkowski may provide additional information regarding the operations at the Solvay Coke plant. (Their last known addresses are stated in the affidavits included in the records being provided).

Investigation of other sources, including public records, is continuing, and this answer may be supplemented in the future.

**Question No. 10:** Provide copies of all local, state and federal environmental permits ever granted for the Facility or any part thereof (e.g., RCRA permits, NPDES permits, etc.).

**Answer to Question No. 10:** Copies of permits and related reports located by Cliffs Mining are included in the records being provided as part of this response.

### **III. CONCLUSION**

The foregoing narrative answers provide generalized responses, with more detailed information being provided in the records submitted simultaneously with the written response. The information in the records is specifically incorporated into the response of Cliffs Mining Company. Further information and details are available in the records located in certain buildings on the Site and in the reports prepared for EPA by its consultants, specifically including the Site Assessment Report and the Title Search Report.

Cliffs Mining continues to search for sources of information that may be responsive to the questions posed in the Request. If such information or records are obtained, Cliffs Mining will supplement its response.

Dated this 12<sup>th</sup> day of November, 2004.

MEISSNER TIERNEY FISHER & NICHOLS S.C.

By:

  
Dennis L. Fisher

Attorneys for Cliffs Mining Company

CMT0003.DOC;1

### **CERTIFICATION**

I hereby certify under potential penalty of law that the foregoing response and all documents accompanying this response, and incorporated as part of the response, were prepared or collected by me or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my current knowledge and belief, true, accurate, and complete, subject to ongoing efforts of Cliffs Mining Company or its undersigned counsel to locate, review and evaluate additional information, which may lead to supplementation of the present response. I am aware of significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I am authorized by Cliffs Mining Company to certify this response.


Dated and signed this 12<sup>th</sup> day of November, 2004.

A handwritten signature in black ink, appearing to read "D. Fisher", is written over a horizontal line.


Dennis L. Fisher  
Meissner Tierney Fisher & Nichols S.C.  
Attorney for Cliffs Mining Company

## History of the Milwaukee Solvay Coke Company f/k/a Milwaukee Coke & Gas Company

1903: Articles of incorporation filed for Milwaukee Coke & Gas Company, a Wisconsin corporation.  
Source: State Historical Society Records




1903-1927: Milwaukee Coke & Gas Company ("MCGC") controlled by the Newport Company.  
Source: Milwaukee Solvay Coke Company Quarter Century Club records (mostly obtained from newsletters and company magazines)  
Status of Newport Company: Unknown. According to a UWM abstract, the Newport Company was "controlled by the Schelesinger interests." Schlesinger was the incorporator of MCGC in 1903.




Note: Articles of incorporation were filed for the Milwaukee Solvay Coke Company ("MSCC") in 1906. All records filed for MSCC between 1906 and 1942 are on MCGC letterhead. This MSCC was dissolved in 1942, one day before MCGC changed its name to MSCC, as noted below.  
Source: State Historical Society, corporate records

1927 or 1928: Newport Company sold MCGC's stock to Koppers Gas & Coke Co. (name changed to Koppers Company shortly thereafter).  
Source: Milwaukee Solvay Coke Company Quarter Century Club records (mostly obtained from newsletters and company magazines)  
Status of Koppers Company: Through a series of name changes, now known as "Beazer East, Inc.", a Delaware corporation.



1928: American Light and Traction Company, a New Jersey corporation, purchased all of the outstanding stock of MCGC from Koppers Company.  
Source: Harry Helfman v. American Light and Traction Company, 121 N.J. Eq. 1, 187 A. 540 (1936)  
Status of American Light and Traction Company: American Light & Traction Company is the predecessor to a Delaware corporation that through a series of mergers and name changes with Michigan and Delaware corporations came to be known as "American Natural Resources Company" ("ANR"). A Michigan corporation known as "The Coastal Corporation" was listed on ANR's annual reports in the 1990's as the parent corporation of ANR. In 2001, the Coastal Corporation merged into the El Paso Corporation, a Delaware corporation. The El Paso Corporation lists both American Natural Resources Company and ANR Pipeline Company as its subsidiaries on its 2001 10-k. ANR Pipeline's filings with the SEC indicate that it is a wholly-owned subsidiary of ANR.



Note: According to the March, 1952 Gas News Centennial Issue of the Milwaukee Gas Company, American Light & Traction Company "took control" of the Milwaukee Gas Light Company in 1900. Thus, when American Light & Traction Company purchased the Milwaukee Coke and Gas Co. (also known as Milwaukee Solvay Coke Co.) in 1928, it became a sister corporation to the Milwaukee Gas Light Company.  
Source: Documents from the States of Michigan and Delaware, including articles of incorporation, merger agreements and annual reports

1942: MCGC changes its name to "Milwaukee Solvay Coke Company" ("MSCC"). Source: State Historical Society Records

Note: MSCC remained a subsidiary of ANR in 1959, and "thereby an affiliate of the Milwaukee Gas Light Company."  
Source: Report on the operations of MSCC dated June 1959

1962: Wisconsin Coke Company, Inc. (a Wisconsin corporation formed on April 13, 1962) purchased all the assets of MSCC on June 1, 1962. Wisconsin Coke Company, Inc. changed its name to Milwaukee Solvay Coke Company, Inc. on the same date.  
Source: Articles of incorporation, amendment to articles of incorporation, Purchase Agreement—all Wisconsin Department of Financial Institutions records

Note: Milwaukee Solvay Coke Company document dated Sept. 29, 1971 states "we purchased the Milwaukee Solvay Coke Company in 1962 from the American Natural Gas Company of Detroit." ANR apparently was MSCC's parent in 1962, but American Natural Gas Company of Detroit may have been another subsidiary to whom MSCC was transferred.

1962: Former MSCC dissolved.  
Source: Wisconsin Department of Financial Institutions records

1964: Milwaukee Solvay Coke Company, Inc., f/k/a/ Wisconsin Coke Company, Inc., merges into Manganese Chemical Corporation, a Maryland Corporation.  
Source: Wisconsin Department of Financial Institutions records, articles of merger

1966: Manganese Chemical Corporation merges into Pickands Mather & Co.  
Source: Pickands Mather records

1968: PM Merger Corp. incorporated in Delaware as a wholly owned subsidiary of Diamond Shamrock Corporation.  
Source: State of Delaware Records

1969: PM Merger Corp. merged into Pickands Mather & Co., with Pickands Mather & Co. being the surviving entity. The Amended Plan and Agreement of Reorganization by and among Diamond Shamrock Corporation, PM Merger Corp. and Pickands Mather & Co. made as of August 28, 1968 to be executed September 20, 1968, provided for the merger of PM Merger Corp. and Pickands Mather & Co. and for Diamond Shamrock Corporation to receive all of the issued and outstanding capital stock of Pickands Mather & Co.  
Source: State of Delaware & Pickands Mather records

1973: January 1, 1973, by agreement, Moore McCormack Resources, Inc., a Delaware corporation, acquired substantially all but not all of the assets of Pickands Mather & Co. from Diamond Shamrock Corporation, but not the stock of Pickands Mather & Co. Pickands Mather & Co. (stock) remained with Diamond Shamrock Corporation and the name of Pickands Mather & Co. without the sold assets ("old" Pickands) was changed to Emerald Mining Company on April 4, 1973.  
February 14, 1973 incorporation in Delaware of PM Holding Co. Moore McCormack formed PM Holding Co. because "Pickands Mather & Co." name was assigned to Moore McCormack.  
Status of Moore McCormack Resources: Still in existence as a Delaware corporation.  
Source: State of Delaware records.

Pickands Mather & Co. Assets

Emerald Mining Company

1973: PM Holding Co. filed a Certificate of Amendment on April 4, 1973 changing its name to Pickands Mather & Co., a Delaware corporation ("new" Pickands")  
Source: State of Delaware records

1996: Emerald Mining Company merged into Maxus Corporate Company, a Delaware corporation, in June of 1996.  
Source: State of Delaware records  
Note: Maxus Corporate Company was f/k/a Diamond Shamrock Corporate Company

1986: Cliffs Mining Company, an Ohio corporation, acquired stock of new Pickands Mather & Co. Source: Pickands Mather records.

1998: Maxus Corporate Company merged into Maxus Energy Corporation, a Delaware corporation  
Source: State of Delaware records  
Note: YPF Sociedad Amonima, an Argentine company, is the parent of Maxus Energy Corporation ("Maxus"). Maxus filed a 2003 Annual Franchise Tax report with the State of Delaware and is registered to do business in the state of Texas, where its principal office is located in Dallas.

1989: Cliffs Mining Company merged into Cleveland Cliffs, Inc. on September 30, 1989

1991: Pickands Mather & Co.'s name change to Cliffs Mining Company, effective March 1, 1991